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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 ERIC QUINN FRANKLIN,

12 Petitioner,

13 v.

14 ROBERT W. FERGUSON, et. al.,

15 Respondents.

CASE NO. C19-5017 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

16 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 22. The Court
17 having considered the R&R and the remaining record, and no objections having been
18 filed, does hereby find and order as follows:

- 19 (1) The R&R is **ADOPTED**;
- 20 (2) Respondent’s Motion to Dismiss is **GRANTED**;
- 21 (3) Petitioner’s federal habeas petition is **DISMISSED** with prejudice;
- 22

1 (4) A certificate of appealability is **DENIED**;

2 (5) Petitioner's *in forma pauperis* status is **REVOKED** on appeal; and

3 (6) The Clerk shall enter **JUDGMENT** and close this case.

4 Dated this 3rd day of June, 2019.

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7 BENJAMIN H. SETTLE
8 United States District Judge
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